

29. (Original) The integrated circuit as recited in Claim 27 wherein the isolation region is not located under a channel region.

30. (Original) The integrated circuit as recited in Claim 27 wherein the isolation region comprises an oxide.

31. (Currently Amended) The integrated circuit as recited in Claim 27 wherein the second portion of the one of the source/drain region comprises polysilicon.

32. (Original) The integrated circuit as recited in Claim 27 wherein the isolation region extends through a transistor tub.

Claim 33 (Canceled)

#### **REMARKS/ARGUMENTS**

The Applicant has carefully considered this application in connection with the Examiner's Action and respectfully requests reconsideration of this application in view of the following remarks.

The Applicant originally submitted Claims 1-33 in the application. In a previous response to an Official Action, the Applicant canceled Claim 33 without prejudice or disclaimer. Presently, the Applicant has amended Claims 1, 5, 7, 10, 12, 14, 17, 19, 21, 25, 27, and 31 and has neither canceled nor added any other claims. Accordingly, Claims 1-32 are currently pending in the application.

**I. Rejection of Claims 1-32 under 35 U.S.C. §112**

The Examiner has rejected Claims 1-32 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most clearly connected, to make and/or use the invention. The Examiner further states that each of the independent Claims requires an interface separating the first and second portions of the source/drain regions, and that the specification does not appear to provide enabling support for the claimed interface. The Applicant has removed the aforementioned element from those independent Claims that included it. As such, the Applicant requests that the Examiner kindly remove the §112 rejection with respect to Claims 1-32.

**II. Rejection of Claims 1, 7, 12, 17, 21, and 27 under 35 U.S.C. §112**

The Examiner has rejected Claims 1, 7, 12, 17, 21, and 27 under 35 U.S.C. §112, second paragraph, as having antecedent basis problems. Accordingly, the Applicant has amended Claims 1, 5, 7, 10, 12, 14, 17, 19, 21, 25, 27, and 31 to correct these inadvertent errors. As such, the Applicant requests that the Examiner kindly remove the §112 rejection with respect to Claims 1, 5, 7, 10, 12, 14, 17, 19, 21, 25, 27, and 31.

**III. Rejection of Claims 1-5, 7-10, 12-14, 16, 17-19, and 21-25 under 35 U.S.C. §102**

The Examiner has rejected Claims 1-5, 7-10, 12-14, 16, 17-19, and 21-25 under 35 U.S.C. §102(b) as being clearly anticipated by U.S. Patent No. 5,043,778 to Teng, et al. (Teng). Presently, newly amended independent Claims 1, 7, 12, 17, 21, and 27 include the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers. Teng

fails to disclose such an element, and actually teaches just the opposite. Teng, as shown in the completed device illustrated in Fig. 7, teaches that its gate sidewall spacers 42 are neither self-aligned with its source/drain-contact region 36 nor its source/drain regions 44. Accordingly, Teng fails to disclose the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers.

Therefore, Teng does not disclose each and every element of independent Claims 1, 7, 12, 17, 21 and 27, and as such, is not an anticipating reference. Because Claims 2-5, 8-10, 13-14, 16, 18-19, and 21-25 are dependent upon Claims 1, 7, 12, 17, 21 and 27, Teng also cannot be an anticipating reference for Claims 2-5, 8-10, 13-14, 16, 18-19, and 21-25. Accordingly, the Applicant respectfully requests the Examiner to withdraw the §102 rejection with respect to these Claims.

#### **IV. Rejection of Claims 6, 11, 15 and 26 under 35 U.S.C. §103**

The Examiner has rejected Claims 6, 11, 15 and 26 under 35 U.S.C. §103(a) as being obvious over Teng in view of United States Patent Application No. 2002/0142552 A1 to Wu (Wu). As recited above, Teng fails to disclose every element recited in independent Claims 1, 7, 12, 17, 21 and 27. Namely, Teng fails to disclose the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers.

Similarly, it is the position of the Applicant that Teng also fails to suggest the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers. Teng fails to suggest such an element because Teng does not form its gate sidewall spacers and either its source/drain-contact region 36 or its source/drain regions 44 using a self-aligning process. Given the structure illustrated and described in Teng, as well as the method taught

to manufacture such a device, one skilled in the art would not be motivated to self-align the first portion of one of the source/drain regions with at least one of the gate sidewall spacers, unless that person was using the present invention as a blueprint. Accordingly, Teng also fails to teach or suggest such an element.

The Examiner is using the Wu reference for the sole proposition that the isolation region may extend through the transistor tub ("well"). Notwithstanding the merits of the Examiner's proposition, Wu also fails to teach or suggest the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers. A teaching or suggestion that the isolation region may extend through the transistor tub ("well") is dissimilar to a teaching or suggestion that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers.

Therefore, the combination of Teng and Wu fails to teach or suggest each and every element of independent Claims 1, 7, 12, 17, 21 and 27, and as such, it fails to establish a *prima facie* case of obviousness with respect to independent Claims 1, 7, 12, 17, 21 and 27, and any claims dependent therefrom.

In view of the foregoing amendments and remarks, the cited references do not support the Examiner's rejection of Claims 6, 11, 15 and 26 under 35 U.S.C. §103(a). The Applicant therefore respectfully requests the Examiner withdraw the rejection.

**V. Rejection of Claims 27-31 under 35 U.S.C. §103**

The Examiner has rejected Claims 27-31 under 35 U.S.C. §103(a) as being obvious over Teng in view of the Applicant's admitted prior art (APA). As recited above, Teng fails to teach or suggest every element recited in independent Claims 1, 7, 12, 17, 21 and 27. Namely, Teng fails to

teach or suggest the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers.

Similarly, the APA fails to teach or suggest such an element. The Examiner is using the APA for the sole proposition that interconnects may be used to connect the claimed device to various other active and passive devices. Notwithstanding the merits of the Examiner's proposition, the APA also fails to teach or suggest the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers. A teaching or suggestion of an interconnect connecting various devices is dissimilar to a teaching or suggestion that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers.

Therefore, the combination of Teng and the APA fails to teach or suggest each and every element of independent Claims 1, 7, 12, 17, 21 and 27, and as such, it fails to establish a *prima facie* case of obviousness with respect to independent Claims 1, 7, 12, 17, 21 and 27, and any claims dependent therefrom.

In view of the foregoing amendments and remarks, the cited references do not support the Examiner's rejection of Claims 27-31 under 35 U.S.C. §103(a). The Applicant therefore respectfully requests the Examiner withdraw the rejection.

**VI. Rejection of Claim 32 under 35 U.S.C. §103**

The Examiner has rejected Claim 32 under 35 U.S.C. §103(a) as being obvious over Teng in view of the APA and Wu. As established above, each of the references Teng, the APA and Wu fails to teach or suggest the element that the first portion of one of the source/drain regions is self-aligned with at least one of the gate sidewall spacers. As each of the references individually fails to teach or suggest such an element, the combination of those references must fail to teach or suggest such an element.

Therefore, the combination of Teng, the APA and Wu fails to teach or suggest each and every element of independent Claims 1, 7, 12, 17, 21 and 27, and as such, it fails to establish a *prima facie* case of obviousness with respect to independent Claims 1, 7, 12, 17, 21 and 27, and any claims dependent therefrom.

In view of the foregoing amendments and remarks, the cited references do not support the Examiner's rejection of Claim 32 under 35 U.S.C. §103(a). The Applicant therefore respectfully requests the Examiner withdraw the rejection.

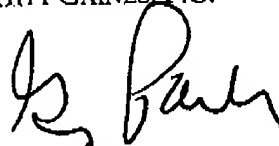
**VII. Conclusion**

In view of the foregoing amendment and remarks, the Applicant now sees all of the Claims currently pending in this application to be in condition for allowance and therefore earnestly solicits a Notice of Allowance for Claims 1-32.

The Applicant requests the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

HITT GAINES, P.C.



Greg H. Parker  
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Dated: 12-30-03

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12/30/2003

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OFFICIAL PATENT

DOCKET NO. WYLIE 5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ian Wylie

Serial No.: 09/822,624

Filed: June 15, 2001

For: A SEMICONDUCTOR DEVICE AND METHOD OF MANUFACTURE  
THEREFOR

Group No.: 2813

Examiner: Kielin, Erik

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I hereby certify that this correspondence is being facsimile  
transmitted to the Patent and Trademark Office (Fax No. (703)  
872-9306) on December 30, 2003

Elizabeth Schumacher  
Typed or printed name of person signing this certificate

Elizabeth Schumacher  
Signature

STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

On December 8, 2003, an Examiner's interview occurred between Examiner Kielin and Mr. Greg H. Parker. In that interview, Mr. Parker and Mr. Kielin discussed the Teng reference and that it did not teach or suggest what the Examiner thought. Mr. Parker and Mr. Kielin also discuss the § 112 rejection with respect to the interface between the first and second portions. No agreement was reached in the interview.



The Applicants request the Examiner to telephone the undersigned attorney of record at (972) 480-8800 if such would further or expedite the prosecution of the present application.

Respectfully submitted,

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### Applicant Initiated Interview Request Form

Application No.: 09/882,624 First Named Applicant: WYLIE  
 Examiner: KIELIN Art Unit: 2813 Status of Application: PENDING

**Tentative Participants:**

(1) GREG H. PARKER (2) \_\_\_\_\_  
 (3) ERIK KIELIN (4) \_\_\_\_\_

Proposed Date of Interview: 12-8-03 Proposed Time: AM (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

TENG, ET AL. (5,043,778) AND WHAT IT DOES AND DOES NOT TEACH.

An interview was conducted on the above-identified application on 12-08-03.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
 (Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
 (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*